

DHARAMPAL HC (P)

.....PETITIONER

VERSUS

SURESH ARORA AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Anupama Sharma, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The present contempt petition has been filed pleading willful disobedience of order dated 09.10.2017 of this Court passed in CWP No. 15343 of 2017. Operational para of the order is reproduced as below:-

“Taking into consideration the facts & circumstances of the case in hand, this Court is of the view that grant of interest @ 9% per annum, on the delayed payment after expiry of three months from the date of accrual of cause of action i.e. June 09, 2012, the date on which he stood acquitted in the criminal case. Accordingly, this Court awards an interest @ 9% per annum on the delayed payment w.e.f. September 09, 2012 to actual date of payment, which shall be paid by the respondents after calculating the same within a period of three months from the date of receipt of certified copy of this judgment. In case of non-compliance of this judgment, petitioner shall be at liberty to approach this Court.”

Respondent No.2 has filed reply by way of short affidavit dated 03.10.2018 of Pritam Singh, PPS, Senior Superintendent of Police, Ferozepur. Interest as per chart below have been paid.

	Interest paid (₹)
On the amount of leave encashment	17,522/-
On the amount of revised leave encashment	5774/-
On the amount of gratuity	29,004/-
On the amount of revised gratuity	9464/-
On the amount of provisional pension	1823/-
Total	63,587/-

Learned counsel for the petitioner states that there is a grievance with regard to calculation of interest.

In view of afore-said reply, no cause of action survived in the present contempt petition.

Disposed of as infructuous.

Rule issued against the respondents is discharged.

Needless to say that in case there is any grievance with regard to calculation of interest, petitioner would be at liberty to avail remedies in accordance with law.

JULY 15, 2019
sham

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No